IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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C.W.P NO.15389 OF 2006

Date of decision : October 27, 2006

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Manmohan Singh .....Petitioner

Vs.

Vice Chancellor, Baba Farid University of Health Sciences & others .....Respondents

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CORAM: HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S BHALLA

Present: Mr. R.S Chauhan, Advocate for the petitioner(s).
Mr. T.S Dhindsa, Advocate for the respondents no. 1 & 2.

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Viney Mittal, J. (Oral)

The petitioner has approached this Court for issuance of directions to the respondent-Baba Farid University of Health Sciences, Kotkapura Road, Faridkot-respondent no.2 to declare the result of the petitioner of BAMS Second Professional Examination which according to the petitioner has been withheld without any justification by the respondent-University. The petitioner has claimed that he was already eligible and had qualified the re-appear examination in Sanskrit of BAMS First Professional Examination and thus having passed all the subjects of BAMS First Professional Examination, the result of the petitioner for BAMS Second Professional Examination cannot be withheld.

After hearing the learned counsel for the parties and taking into consideration the averments made by the petitioner, which have not been disputed on behalf of the respondent-University, we find that the

controversy in the present case stands concluded in favour of the petitioner by a judgement of this Court passed by one of us (Viney Mittal, J.) in `**Aseempreet Kundi and another Vs. State of Punjab and others'** rendered in **CWP No.5843 of 2004** decided on **March 8, 2006**.

In view of the declaration in **Aseempreet Kundi's case (Supra)**, we find that petitioner had obtained eligibility and qualification to appear in BAMS Second Professional Examination and as such having appeared in the aforesaid examination was entitled to the declaration of his result. In this view of the matter, we allow the present petition and direct respondent no.2 to declare the result of the petitioner of BAMS Second Professional Examination forthwith.

Copy of the order be given dasti on payment of the usual charges.

(VINEY MITTAL)
JUDGE

October 27, 2006
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(H.S BHALLA)
JUDGE